

aforesaid rules for such period as the Secretary of State shall choose to continue this concession.

IN WITNESS WHEREOF the said manufacturer has hereunto set his hand and
Commissioner in Sind hath by order of the
Honourable the Governor of Bombay in Council set his hand and the seal
of his office the day and year first above written.

Signed by

Esquire,

in the presence of

1. _____

2. _____

Signed sealed and

delivered by

Esquire,

Commissioner in Sind for and on behalf
of the Secretary of State in Council in the
presence of

1. _____

1. _____

RULES AND ORDERS UNDER ACT XV OF 1882

PRESIDENCY SMALL CAUSE COURTS

RULES OF PROCEDURE AND PRACTICE OF THE COURT OF SMALL CAUSES OF BOMBAY

Notn. No. 856, High Court, 2nd Apr. 1909, B. G., 1909, Pt. I, p. 592, as amended by Notns. No. 2076, High Court, 9th Sept. 1910, No. 389, High Court, 23rd Jan. 1914, No. 1417, High Court, 13th July 1915, No. 1412, High Court, 14th Sept. 1917, No. 565, High Court, 21st Feb. 1920, No. 2307, High Court, 24th Aug. 1920, No. 4331, High Court, 23rd Dec. 1920 and No. 2819, High Court 17th Sept. 1921.

The following are the Rules of Procedure and Practice of the Court of Small Causes of Bombay framed by the High Court under the Presidency

N.B.—(1) This agreement should be stamped with an 8 anna stamp.

(2) This agreement does not require registration.

Small Cause Court Acts, 1882 and 1895, in supersession of all previous Rules :—

I.—The portions of the Code of Civil Procedure, Act V of 1908, specified in the first column of the schedule hereto annexed shall, subject to the additions, alterations and modifications specified in the 2nd and 3rd columns of such schedule, extend and shall be applied to the Small Cause Court and the procedure prescribed thereby shall be the procedure followed in the Court in all suits cognizable by it except where such procedure is inconsistent with the procedure prescribed by any specific provisions of the Presidency Small Cause Court Acts, 1882 and 1895.

II.—All suits for sums not exceeding Rs. 1,000 shall be instituted by an application, to be made by a plaintiff or his agent duly authorised in that behalf, to the Registrar, for a summons accompanied with or containing such particulars as are specified in the two Rules next hereafter following, which particulars shall be furnished to the Registrar by such plaintiff or agent as aforesaid, and such summons shall be issued on the date of such application.

III.—In all suits for sums exceeding Rs. 500 but not exceeding Rs. 1,000 the plaintiffs shall cause to be served on each defendant, together with the summons, a copy of the particulars of the claim, in writing, specifying the nature and amount of each item of such claim, and the dates whereon the same respectively became claimable, and the particulars of any sums allowed in set-off by the plaintiffs, together with the dates whereon the same respectively became due to the defendant ; and if the suit be brought on a document executed, or an entry signed, by the defendant, then a copy of such document or entry.

IV.—In all suits for sums not exceeding Rs. 500 the summons to be served on each defendant shall contain a statement of the nature of the cause of action, and the date or dates on or within which the same arose, and the amount, if any, allowed by the plaintiff in set-off, together with the date or dates on or within which the same became due to the defendant.

V.—At the time of making such an application as is mentioned in Rule II, the plaintiff or his agent shall produce to the Registrar the original of any document, account or entry in his possession on which he sues, to be marked or initialled by the Registrar before issuing a summons in respect thereof.

VI.—In the case of defendants resident within the jurisdiction of the Court, the summons, in a suit for a sum not exceeding Rs. 500 shall ordinarily be made returnable on or as soon as possible after the 14th day after the date of its issue, and served three clear days before such return date unless one of the Judges shall otherwise order.

VII.—In a like case, the summons in a suit for a sum exceeding Rs. 500 shall ordinarily be made returnable on or as soon as possible after the 21st day after the date of its issue and served eight clear days before such return date unless one of the Judges shall otherwise order.

VIII.—Any Judge may, on sufficient cause being shown, direct any summons to be made returnable on any such other later or earlier day as he may think fit.

IX.—In the case of defendants not resident within the jurisdiction of the Court, the summons shall be made returnable on such day as shall in the opinion of the Registrar afford sufficient time for the service of the summons and for the defendants to appear in obedience thereto.

X.—All applications made under section 18 of the Presidency Small Cause Courts Act, 1882, for leave to institute a suit, shall be in writing, signed and verified on oath or solemn affirmation by the person making the same. Such applications shall set forth exactly the facts of the case, and the grounds on which they are made, and also the names and residences of the witnesses whom the plaintiff intends to examine. Applications for arrest before judgment, or attachment before judgment, and for the issue of Distress Warrants shall also be in writing, signed and verified as aforesaid.

XI.—At any time before the final disposal of a suit the Court may alter or amend any summons or particulars issued under Rules II, III or IV in such manner as it thinks fit; upon such terms as to adjournment, the taking of additional evidence, the payment of costs, and otherwise as may to the Court seem fit; provided that no alteration or amendment shall be made so as to convert a suit of one character into a suit of another and inconsistent character.

XII.—In no suit settled by agreement before hearing shall the parties be entitled under section 73 of the Presidency Small Cause Courts Act, 1882, to a refund of half the fees paid by them, unless notice of such settlement shall have been given to the Clerk of the Judge before whom such suit is set down for trial before the same shall have been called on for hearing.

XIII.—The Court may direct any party calling a witness to pay such sum as in the opinion of the Court is a reasonable compensation to such witness, having regard to his position and calling, for his loss of time in attending the Court; and may, in the event of such sum not being paid or secured to the satisfaction of the Court, exempt such witness from attending and giving evidence. But such sum shall not be included in the costs of the suit, nor shall execution issue in respect thereof.

XIV.—No costs shall be allowed in respect of the expense of employing a legal practitioner unless the Judge trying the cause certify that he allows such costs.

XV.—No such costs as last aforesaid shall be allowed in the case of a legal practitioner required by O. III, R. 4, of the Civil Procedure Code to file his appointment unless he shall have so filed the same at least one clear day before the cause is called on for hearing; provided always that this rule shall have no application in the case of a legal practitioner appearing on behalf of a defendant on whom the summons has been served less than three clear days before the day on which the cause is called on for hearing.

XVI.—Costs in respect of the expenses of employing a legal practitioner, when allowed, shall be on the following scale:—

(a) In suits for sums	To any legal prac-	Not more than Rs. 10
between Rs. 20	titioner entitled	on the conclusion
and Rs. 100.	to appear.	of the suit.

(b) In suits for sums between Rs. 100 and Rs. 300.	To any legal practitioner entitled to appear.	Not more than Rs. 30 on the conclusion of the suit.
(c) In suits for sums between Rs. 300 and Rs. 500.	Do. ..	Not more than Rs. 45 on the conclusion of the suit.
(d) In suits for sums between Rs. 500 and Rs. 1,000.	Do. ..	Not more than Rs. 68 on the conclusion of the suit.
(e) In suits for sums between Rs. 1,000 and Rs. 2,000.	Do. ..	Not more than Rs. 45 per diem or Rs. 85 if the case be disposed of on the first day.

Note.—Rs. 5, Rs. 15, Rs. 17 and Rs. 34 from the lower scale of costs in (a), (b), (c), (d) and (e), respectively.

XVII.—(a) In all suits for sums below Rs. 1,000 disposed of *ex parte*, the costs of employing a legal practitioner should ordinarily be allowed, but on the lower scale, where the Court is of opinion that the employment of such practitioner was under the circumstances reasonable.

(b) Ordinarily the costs of employing a legal practitioner shall be allowed in all suits for sums exceeding Rs. 1,000 in which the legal practitioner has drafted the plaint, but such costs shall, notwithstanding anything contained in Rule XVI, be allowed only on the lower scale, *viz.*, Rs. 34, unless the suit is contested at the hearing.

XVIII.—In all suits for sums exceeding Rs. 1,000, in which a party appears by a legal practitioner he shall if so required in writing at any time before the suit is on board for hearing and final disposal by any other party to the suit state his defences to the action and in default of his doing so the party applying for defences may apply to the Court when the suit is on the board for hearing and the Court may thereupon adjourn the case and make such order as to costs of the adjournment as it may think fit.

XIX.—When a legal Practitioner is prevented by sickness or engagement in another Court from appearing in any case in which he has been retained he may appoint another legal practitioner to appear on his behalf and the case shall proceed unless the Court otherwise directs.

Provided that no Advocate shall appoint a Solicitor or Pleader to appear on his behalf unless such Solicitor or Pleader has himself filed his appointment as required by O. III, R. 4, of the Civil Procedure Code.

XX.—In Suits in which no order has been made by the Judge passing the decree as to the manner or time of payment, execution shall not issue until the expiration of eight days from the date of the decree except by special order of a Judge.

XXI.—In suits for sums not exceeding Rs. 1,000, warrants for the execution of the decree shall be made returnable within two months from the date of issue. In suits for sums exceeding Rs. 1,000, such warrants shall be made returnable within four months from the date of issue.

XXII.—(a) Where a judgment-debtor, upon being arrested, is committed to prison by order of the Court or the Registrar, the judgment-creditor or some person on his behalf shall accompany the bailiff to prison and shall pay to the officer in charge of the prison so much subsistence allowance as will suffice till the end of the current month, calculated in accordance with the rates that may be fixed by the Court from time to time in pursuance of scales of monthly subsistence allowance fixed by Government under section 57 of the Code of Civil Procedure.

(b) Subsequent payments of the subsistence allowance shall be made by the judgment-creditor to the officer in charge of the prison by monthly payments in advance before the first day of each calendar month.

(c) In cases where it is not possible to bring the judgment-debtor under arrest before the Court or the Registrar forthwith, the judgment-creditor or some person on his behalf shall accompany the bailiff to the prison and shall pay to the officer in charge there so much subsistence allowance as will suffice to lodge the judgment-debtor in jail until the first available day on which he can be brought before the Court, and the said officer shall thereupon retain the judgment-debtor in his custody until such day.

(d) If the judgment-creditor or some person as aforesaid fails to accompany the bailiff to prison or to pay the amount of subsistence allowance as required, the bailiff shall sign an endorsement to that effect upon the warrant and shall forthwith release the judgment-debtor.

(e) Sums disbursed by the decree-holder for the subsistence of the judgment-debtor in the Civil Prison shall be deemed to be costs in the suit :

Provided that the judgment-debtor shall not be detained in the civil prison or arrested on account of any sum so disbursed.

XXIII.—No sale of any goods which shall be taken in execution under a warrant issued in a suit not exceeding Rs. 1,000 in value shall be made until the end of at least fifteen days next following the day on which such goods have been so taken, unless such goods be of a perishable nature, or upon the request, in writing, of the party whose goods have been taken.

XXIV.—Live-stock and other movable property taken in execution under a warrant of attachment shall either be deposited, by the bailiff by whom they were taken, in custody of the appraiser of the Court, or be kept on the premises where they were taken, in charge of peons engaged by the appraiser for that purpose.

XXV.—The Chief Judge may, from time to time, and for such time as he shall think proper, appoint such and so many persons for keeping possession, and so many of the bailiffs or other fit persons to be brokers or appraisers for the purpose of selling or valuing any live-stock or other

movable property taken in execution, as shall appear to him to be necessary.

XXVI.—No goods taken in execution shall be sold for the purpose of satisfying the warrant of execution except by one of the brokers or appraisers so appointed, and all such sales, when held at the Court House, shall take place on some fixed day of each week which the Court shall cause to be generally known.

XXVII.—The costs to be demanded or taken for the sale and custody of goods shall be as follows:—

(a) On the sale of live-stock or other movable property one anna in the rupee on the first Rs. 500 of the proceeds of the goods sold, nine pies in the rupee on the second Rs. 500 of such proceeds and six pies in the rupee on all such proceeds above Rs. 1,000, and if special peons have been kept in charge of the goods, a further sum not exceeding annas twelve, *per diem* for each peon so kept.

(b) For the custody of live-stock or other movable property removed before sale,

(i) Four pies in the rupee on the appraised value of the movable property attached, other than live-stock, which shall have been in the custody of the Court for more than one clear day, and if special peons have been kept in charge thereof, a further sum not exceeding annas twelve *per diem* for each peon so kept,

(ii) Two annas *per diem* for each head of live-stock (other than sheep, goats, calves or birds for which the charge shall be six pies for each head), for such time as it has been in the custody of the Court, and, if special peons have been kept in charge thereof, a further sum not exceeding annas twelve *per diem* for each peon so kept.

(c) If the live-stock or other movable property attached has been advertised for sale under O. XXI, R. 67, of the Code of Civil Procedure, the costs of such advertisement shall be an additional charge.

XXVIII.—Before making any order for the attachment of live-stock, or other movable property or at any time after any such order has been passed, the Court may require the person at whose instance the order of attachment is sought or has been made to deposit in Court such sum of money as the Court may consider necessary.

(a) For the removal of the property to the Court premises and its maintenance, guarding and custody till arrival thereof;

(b) For the maintenance, guarding and custody of the property at the Court premises till it is sold or otherwise disposed of;

(c) For the maintenance, guarding and custody of the property at the place at which it was attached.

In case of failure to deposit such sum within the time required by the Court, the Court may either refuse to issue or may cancel the order of attachment as the case may be.

XXIX.—An account of the expenses actually incurred shall, on demand be made on or before the date of the sale, be furnished to the attaching

creditor and to the person whose property was attached, and the amount which the Court, after hearing their objections to the account, if any, made within three days after furnishing the same, finds to be properly due, shall be deducted as a first charge from the proceeds of the sale of the property and paid to the attaching creditor together with any balance that there may be of the deposit.

XXX.—If in consequence of the cancellation of an order of attachment, or for any other reason, the person whose property has been attached becomes entitled to receive back his live-stock or other property attached, it shall be given to him on payment of all charges found by the Court to have been properly incurred which have not been defrayed, or for the defrayal of which no money has been deposited by the attaching creditor, and in default of his paying the same within the time prescribed by the Court, the property, or so much thereof as may be necessary, shall be sold by auction, and after defraying the abovementioned charges and the expenses of the sale and advertisement thereof, the balance of the sale-proceeds of the property shall be delivered to him.

XXXI.—The Chief Judge may apply the sums raised by the preceding rules towards the payment of the contingent charges and remuneration of the said brokers, appraisers, and special peons in such manner as may to him appear expedient.

XXXII.—Every Bailiff levying or receiving any money by virtue of any process issuing out of the Court shall not later than the first day after the receipt thereof, on which the office is open, pay the same to the Registrar.

XXXIII.—The office of the Registrar shall be open daily except on Sunday, Christmas-day, Good Friday, and other authorized holidays and the office hours shall be from 11-30 a.m. to 5-30 p.m. No money shall be paid out of Court before 12 a.m. nor shall any be received after 4-30 p.m., unless the Registrar so orders.

XXXIV.—The Registrar shall grant a receipt for all sums of money paid into Court by suitors and no money shall be paid out of the Court except on production of such receipt, or by special order of a Judge.

XXXV.—No correspondence relating to any proceedings before the Court shall be entered into, but parties having business with the Registrar or at his office shall transact the same in person or by an accredited agent.

XXXVI.—Every process sent by any other Court for service by the Presidency Small Cause Court at Bombay, when not in the English language shall be accompanied by an English translation and also, when not in the vernacular character of the person on whom it is to be served, by a translation into such character, if possible.

XXXVII.—In the ordinary course the following work shall be disposed of by the Registrar:—

- (i) Applications for leave to sue in *forma pauperis*.
- (ii) Applications for substituted service in all mofussil suits of which the summonses have been sent to this Court for service.
- (iii) Applications for the issue of Writs and Warrants.

- (iv) Committal of prisoners.
(v) Commissions to take evidence.

In case of any question arising in regard to No. (iv) which the Registrar is unable readily to dispose of at once he shall refer it to the Judge who passed the decree and the order for committal or discharge shall then be made by such Judge.

XXXVIII.—Applications under section 38 of the Presidency Small Cause Courts Act shall be heard by a Court consisting of at least two Judges, one of whom shall be the Chief Judge, or, in his absence the next available Judge in rank and precedence, and the other any other Judge of the Court who may or may not be the Judge who tried the case.

THE SCHEDULE.

(See Rule 1.)

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
PRELIMINARY.	s. 1 omit s. 2 clause (13) omit ss. 4 to 8 (both inclusive) omit	s. 1 omit. s. 2 clause (13) omit. ss. 4 to 8 (both inclusive) omit.
PART I.		
Suits in General	s. 9 omit ss. 15 to 23 (both inclusive) omit s. 24 (3) and (4) omit s. 25 omit s. 30 (a) omit the words "delivery and answering of interrogatories, the admission of documents and facts," and the discovery, inspection."	s. 9 omit. ss. 15 to 23 (both inclusive) omit. s. 24 (3) and (4) omit. s. 25 omit. s. 30 (a) omit the words "delivery and answering of interrogatories the admission of documents and facts," and the discovery, inspection."
	s. 34 Where and in so far as the decree is for the payment of money not less than Rs. 1,000. s. 35 (2) and (3) omit	s. 34 omit. s. 35 (2) and (3) omit.
PART II.		
Execution	s. 39 (1) (c) and (2) omit ss. 43 and 44 omit s. 48 omit s. 54 omit s. 55 (3) and (4) omit s. 58 (1) (a) for the words "of six months" substitute "not longer than six months and exceeding 30 days"; (b) for the words "six weeks" substitute "30 days"; in the first proviso omit the words "said" and "of six months or six weeks as the case may be" and after the word "period" insert "fixed". s. 60 omit such portions as relate to the attachment of immoveable property or decrees therefor. s. 60 (1) omit and substitute, instead "the wages of labourers and other servants to the extent of Rs. 20 per mensem and the wages of domestic servants, whether payable in money or in kind". ss. 65 to 72 (both inclusive) omit s. 73 (1) after the words "the same judgment-debtor and" insert "having levied the execution" in the proviso omit (c).	s. 39 (1) (c) and (2) omit. ss. 43 and 44 omit. s. 48 omit. s. 54 omit. s. 55 (3) and (4) omit. s. 58 (1) (a) for the words "of six months" substitute "not longer than six months and exceeding 30 days"; (b) for the words "six weeks" substitute "30 days"; in the first proviso omit the word "said" and "of six months or six weeks as the case may be" and after the word "period" insert "fixed". s. 60 omit such portions as relate to the attachment of immoveable property or decrees therefor. s. 60 (1) omit and substitute, instead, "the wages of labourers and other servants to the extent of Rs. 20 per mensem and the wages of domestic servants, whether payable in money or in kind". ss. 65 to 72 (both inclusive) omit. s. 73 (1) after the words "the same judgment-debtor and" insert "having levied the execution"; in the proviso omit (c).

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
	s. 74 omit the words " or that the purchaser of immovable property sold in execution of a decree " and the words, twice occurring " or purchaser ".	s. 74 omit the words " or that the purchaser of immovable property sold in execution of a decree " and the words, twice occurring " or purchaser ".
PART III.		
Incidental Proceedings ..	s. 75 (d) omit	s. 75 (d) omit. .
PART IV.		
Suits in particular cases. .		s. 80 omit the words " and the plain shall contain a statement that such notice has been so delivered or left ".
	ss. 86 and 87 omit	ss. 86 and 87 omit.
PART V.		
Special proceedings. ..	ss. 91, 92 and 93 omit	ss. 91, 92 and 93 omit.
PART VI.		
Supplemental proceedings	s. 94 (c) omit s. 95 (1) omit the words " or a temporary injunction granted " ; (1) (a) and (2) omit the words " or injunction ".	s. 94 (c) omit. s. 95 (1) omit the words " or a temporary injunction granted " ; (1) (a) and (2) omit the words " or injunction ".
PART VIII.		
Reference, Review and Revision.	s. 114 omit	s. 114 omit.
PART X.		
Rules ..	ss. 123 to 131 (both inclusive) omit ..	ss. 123 to 131 (both inclusive) omit.
PART XI.		
Miscellaneous ..	ss. 137 and 138 omit s. 140 omit s. 144 omit s. 150 omit s. 154 omit	ss. 137 and 138 omit. s. 140 omit. s. 144 omit. s. 150 omit. s. 154 omit.
FIRST SCHEDULE.		
ORDER I.		
Parties to suits ..	rule 10 (4) after the word " plaint " add the words " or summons " and omit the words " and of the plaint " . rule 12 (2) omit rule 13 for the words " where issues are settled, at or before such settlement " substitute the words " before any evidence is recorded " .	rule 10 (4) after the word " plaint " add the words " or summons " and omit the words " and of the plaint " . rule 12 (2) omit. rule 13 omit.
ORDER II.		
Frame of suit ..	rule 4 omit rule 7 for the words " where issues are settled, at or before such settlement " substitute " before any evidence is recorded " . rule 2, cl. (a) omit the word " general " and the words " from parties not resident " to " act is made or done " .	rule 4 omit. rule 7 for the words " where issues are settled, at or before such settlement " substitute " before any evidence is recorded. "
ORDER III.		
Recognised Agents and Pleaders.	rule 5 omit	rule 5 omit.

Presidency Small Cause Courts. } ENACTMENTS APPLYING TO BOMBAY

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
ORDER IV.		
Institution of suits ..	rule 2 omit	rule 1 omit. rule 2 omit.
ORDER V.		
Issue and service of summons.	rule 1 (i) omit the proviso .. rule 2 omit rule 5 omit the first para. and the words "Provided that" in the second para. .. rule 8 omit the words "where" and "is for the final disposal of the suit, it" .. rule 9 (2) omit rule 19 for the word "shall" substitute "may"; omit the words "if the return under..... so verified" and for the word "further" substitute "other." .. rule 21 add the words "provided that the summons may be sent by Registered post directed to the defendant if the Court so thinks fit" ..	rule 1 (i) omit the proviso. rule 2 omit. rule 5 omit the first para. and the words "Provided that" in the second para. .. rule 8 omit the words "where" and "is for the final disposal of the suit, it" .. rule 9 (2) omit. rule 19 for the word "shall" substitute "may"; omit the words "if the return under..... so verified" and for the word "further" substitute "other." .. rule 21 add the words "Provided that the summons may be sent by Registered post directed to the defendant if the Court so thinks fit" ..
ORDER VI.		
Pleadings Generally ..		omit the whole order.
ORDER VII.		
Plaint ..	rule 3 omit rule 9 omit rule 10 (1) and (2) after the word "plaint" add the words "or application for a summons" .. rule 12 omit rule 16 omit the words "when the plaint was presented.....with the plaint" .. rule 17 omit	rules 1 to 9 (both inclusive) omit. rule 10 (1) and (2) after the word "plaint" add the words "or application for a summons" .. rule 11 omit. rules 12, 13, 14 and 15 omit. rule 16 omit the words "when the plaint was presented.....with the plaint" .. rules 17 and 18 omit.
ORDER VIII.		
Written statement and set-off.	rule 1 omit the words "may, and"	rule 1 omit the words "may, and".
ORDER IX.		
Appearance of parties and consequence of non-appearance.	rule 2 after the word "summons" insert "or any renewed summons that may have been ordered to issue"; and after the word "Court-fee" insert "for such summons or renewed summons" .. rule 5 (1) for the words "one year" substitute "six months" and omit the words "made to the Court..... serving officers" .. rule 6 (1) (b) for "shall" and "second" substitute "may" and "renewed", respectively.	rule 2 after the word "summons" insert "or any renewed summons that may have been ordered to issue"; and after the word "Court-fee" insert "for such summons or renewed summons" .. rule 5 (1) for the words "one year" substitute "six months" and omit the words "made to the Court..... serving officers" .. rule 6 (1) (b) for "shall" and "second" substitute "may" and "renewed", respectively.
ORDER X.		
Examination of Parties by the Court.	rules 1 and 3 omit	rules 1 and 3 omit.
ORDER XIII.		
Production, Impounding and Return of Documents.	rule 1 (2) omit rules 2 and 3 omit rule 4 (1) (a) omit the words "and title"; (b) omit the whole; (d) for "the Judge" substitute "an officer of the Court" ..	rule 1 (2) omit. rules 2 and 3 omit. rule 4 (1) (a) omit the words "and title"; (b) omit the whole; (d) for "the Judge" substitute "an officer of the Court" ..

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
	rule 5 (3) between the words "examined" and "compared" insert the word "and" and omit the words "and certified in..... Order VII." rule 6 omit rule 8 omit the words "or in rule 17 of Order VII." rule 10 (2) omit	rule 5 (3) between the words "examined" and "compared" insert the word "and" and omit the words "and certified in..... Order VII." rule 6 omit. rule 8 omit the words "or in rule 17 of Order VII." rule 10 (2) omit.
ORDER XIV. Settlement of Issues ..	rules 1, 2 and 4 omit	rules 1, 2 and 4 omit.
ORDER XV. Disposal of suit at the first hearing.	rules 3 and 4 omit	rules 3 and 4 omit.
ORDER XVI. Summoning and attendance of Witnesses.	rules 10, 11, 12 and 13 omit .. rule 17 omit	rules 2, 3 and 4 omit. rules 10, 11, 12 and 13 omit. rule 17 omit.
ORDER XVII. Adjournments ..	rule 1 (2) omit the proviso ..	rule 1 (2) omit the proviso.
ORDER XVIII. Hearing of the suit and Examination of Witnesses.	rules 5 to 15 (both inclusive) omit .. rule 16 (1) after the word "take" insert "or direct the Registrar to take"; (3) for the words "so taken" substitute "if taken by the Registrar" and omit the words "and the Judge shall..... sign it."	rules 5 to 15 (both inclusive) omit. rule 16 (1) after the word "take" insert "or direct the Registrar to take"; (3) for the words "so taken" substitute "if taken by the Registrar" and omit the word "and the Judge shall..... sign it."
ORDER XIX. Affidavits.		
ORDER XX. Judgment and Decree ..	rules 3, 4 and 5 omit rule 6 (1) omit the words "shall agree with the judgment: it" and "and particulars of the claim"; (2) omit the words "or out of what property" rule 8 omit the words "or if the Court..... was subordinate". rule 9 omit rule 11 (1) omit the words "with or without interest"; (2) omit the words "and with the consent of the decree-holder" and "the payment of interest". rules 12 to 15 (both inclusive) omit .. rule 18 omit rule 19 (2) omit rule 20 omit the words "judgment and".	rules 3, 4 and 5 omit. rule 6 (1) omit the words "shall agree with the judgment: it" and "and particulars of the claim"; (2) omit the words "or out of what property". rule 8 omit the words "or if the Court was subordinate". rule 9 omit. rule 11 (1) omit the words "with or without interest"; (2) omit the words "and with the consent of the decree-holder" and "the payment of interest". rules 12 to 15 (both inclusive) omit. rule 18 omit. rule 19 (2) omit. rule 20 omit the words "judgment and".
ORDER XXI. Execution of Decrees and Orders.	rule 1 (2) omit rules 3, 8 and 9 omit rules 13 and 14 omit rule 15 (2) omit rule 17 (1) for the figures "11 to 14" substitute "11 and 12". rule 22 (2) omit the words "for reasons to be recorded".	rule 1 (2) omit. rule 2 omit. rules 3, 8 and 9 omit. rules 11 (2) and 12 omit. rules 13 and 14 omit. rule 15 (2) omit. rule 17 omit. rule 22 (2) omit the words "for reasons to be recorded".

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
	rule 25 (2) for " shall " substitute " may " .. rule 31 (2) and (3) omit .. rules 32 to 36 (both inclusive) omit .. rule 38 omit the words " together with the interest thereon " .. rule 39 omit .. rule 42 omit .. rule 43 for the words " keep the property in custody thereof " substitute " forthwith deposit the property in the custody of the proper officer of the Court " .. rules 44 and 45 omit .. rules 47 after the words " in movable property " insert " other than a share in partnership property " .. rule 49 omit .. rule 53 so far as relates to decrees for movable property only. .. rule 54 omit .. rule 55 (c) omit the words " and in the case of immovable property last preceding rule " .. rule 66 (2) omit the words " after notice to the decree-holder and the judgment-debtor " ; omit (2) (b) ; omit (3) .. rule 68 omit the words " of at least thirty days in the case of immovable property, and " , and " in the case of movable property " and for the words " on which the copy the sale " substitute " of seizure " .. rule 69 (2) omit .. rule 71 omit the words " or to the Collector or subordinate of the Collector as the case may be " .. rule 72 (2) omit .. rules 74 and 75 omit .. rules 82 to 96 (both inclusive) omit .. rule 97 (1) omit the words " or the purchaser of any such property sold in execution of a decree " .. rule 100 (1) omit the words " or, where such property has been sold in execution of a decree, by the purchaser thereof " ..	rule 25 (2) for " shall " substitute " may " .. rule 31 (2) and (3) omit .. rules 32 to 36 (both inclusive) omit .. rule 38 omit the words " together with the interest thereon " .. rule 39 omit .. rule 42 omit .. rule 43 for the words " keep the property in custody thereof " substitute " forthwith deposit the property in the custody of the proper officer of the Court " .. rules 44 and 45 omit .. rule 47 after the words " in movable property " insert " other than a share in partnership property " .. rule 49 omit .. rule 53 so far as relates to decrees for movable property only. .. rule 54 omit .. rule 55 (c) omit the words " and in the case of immovable property last preceding rule " .. rules 66 and 67 omit .. rule 68 omit the words " of at least thirty days in the case of immovable property, and " , and " in the case of movable property " and for the words " on which the copy the sale " substitute " of seizure " .. rule 69 (2) omit .. rule 71 omit the words " or to the Collector or subordinate of the Collector as the case may be " .. rule 72 omit the whole. .. rules 74 and 75 omit .. rules 82 to 96 (both inclusive) omit .. rule 97 (1) omit the words " or the purchaser of any such property sold in execution of a decree " .. rule 100 (1) omit the words " or, where such property has been sold in execution of a decree, by the purchaser thereof " ..
ORDER XXII. Death, Marriage and Insolvency of Parties.	rule 11 omit	rule 11 omit.
ORDER XXIII. Withdrawal and Adjustment of suits.		
ORDER XXIV. Payment into Court ..	rule 4 (1) omit the words " and, if the Court decides in the plaintiff's claim " ; (2) omit the words " he shall present be filed and " and " and, in directing for the litigation " ; omit the illustrations.	rule 4 (1) omit the words " and, if the Court decides in the plaintiff's claim " ; (2) omit the words " he shall present be filed and " and, in directing for the litigation " ; omit the illustrations.
ORDER XXV.* Security for costs ..		

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For Suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
ORDER XXVI. Commissions	rules 13 and 14 omit rule 18 after sub-rule (2) add "(3) If either party against whom an order has been passed under rule 15 to pay into Court any sum for expenses fails to do so within the time fixed he shall be precluded from appearing before the Commissioner except with the special leave of the Court."	rules 13 and 14 omit. rule 18 after sub-rule (2) add "(3) If either party against whom an order has been passed under rule 15 to pay into Court any sum for expenses fails to do so within the time fixed he shall be precluded from appearing before the Commissioner except with the special leave of the Court".
ORDER XXVII. Suits by or against the Government or Public Officers in their official capacity.	rule 1 after the words "written statement" insert "if any".	rule 1 after the words "written statement" insert "if any".
ORDER XXVIII. Suits by or against Military men.		
ORDER XXIX. Suits by or against Corporations.		
ORDER XXX. Suits by or against firms and persons carrying on business in names other than their own.	rule 9 omit.	rule 9 omit.
ORDER XXXI. Suits by or against Trustees, Executors and Administrators.		
ORDER XXXII. Suits by or against minors and persons of unsound mind.	rule 2 (1) after the word "plaint" add the words "or summons". rule 3 (4) omit. rule 9 (2) omit the words "for reasons to be recorded by it".	rule (2) (1) after the words "plaint" add the words "or summons." rule 3 (4) omit. rule 9 (2) omit the words "for reasons to be recorded by it".
ORDER XXXV. Interpleader..		
ORDER XXXVI. Special Case	rule 1 (1) (b) between the words "some" and "property" insert the word "movable" and omit the words "movable or immovable".	rule 1 (1) (b) between the words "some" and "property" insert the word "movable" and omit the words "movable or immovable".
ORDER XXXVII. Summary Procedure on Negotiable Instruments.	Omit the whole order	omit the whole order.
ORDER XXXVIII. Arrest and Attachment before judgment. (Except as regards the attachment of immovable property).	rule 4 in the first proviso for the words "six weeks" substitute "thirty days".	rule 4 in the first proviso for the words "six weeks" substitute "thirty days".

Presidency Small Cause Courts. } ENACTMENTS APPLYING TO BOMBAY

Portions of the Civil Procedure Code, extending to the Court.	Additions, Alterations and Modifications.	
	For suits for sums exceeding Rs. 1,000.	For Suits for sums not exceeding Rs. 1,000.
ORDER XXXIX. Temporary Injunction and Interlocutory Orders.	rules 1 to 5 (both inclusive) omit .. rule 9 omit ..	rules 1 to 5 (both inclusive) omit. rule 9 omit.
ORDER XL. Appointment of Receivers (Except as regards immovable property).	rule 5 omit ..	rule 5 omit.
ORDER XLVI. Reference ..	rule 7 omit ..	rule 7 omit
ORDER XLVIII. Miscellaneous. ..		
SECOND SCHEDULE. Arbitration ..	rule 16 (2) omit the words "and no appeal shall the award." rule 17 omit .. rules 19 to 21 (both inclusive) omit.	rule 16 (2) omit the words "and no appeal shall the award". rule 17 omit. rule 19 to 21 (both inclusive) omit.

SEAL TO BE USED BY THE SMALL CAUSE COURT, BOMBAY

Notn. No. 4003-11-P., J.D., 1st July 1882, para. 2, B.G. 1882, Pt. I, p. 489.

* * * * *

Under the provisions of Section 12 of the said Act, the Right Honourable the Governor in Council is pleased to direct that the Seal at present used by the Small Cause Court, Bombay, shall continue to be used by the said Court.

VARYING THE AMOUNT OF THE INSTITUTION-FEES AND PROCESS-FEES PAYABLE UNDER SECTIONS 71 AND 72

Notn. No. 5049, J. D., 15th Aug. 1882, B.G. 1882, Pt. I, p. 613.

* Published at pages 595-596 of the *Government Gazette* of 10th August 1882, Part I. The following Notification is published in substitution of Government Notification No. 4739, dated the 2nd instant* :—

Under the provisions of Section 75 of the Presidency Small Cause Courts Act, 1882, the Right Honourable the Governor in Council is pleased to vary the amount of the Institution-fees payable under Section 71 of that Act, as follows :—

(a) When the amount or value of the subject-matter does not exceed five hundred rupees—the sum of annas 1½ in the rupee on such amount or value.

(b) When the amount or value of the subject-matter exceeds five hundred rupees—the sum of thirty-nine rupees one anna ; and one anna in the rupee on the excess of such amount or value over five hundred rupees.

Under the provisions of the same section, the Right Honourable the Governor in Council is pleased to vary the amount of the Process-fees payable under Section 72 and the third column of the fourth Schedule, as follows :—

In suits up to Rs. 20 ..	..	Annas	2
" between Rs. 20 and Rs. 50	..	Annas	4
" between Rs. 50 and 100 ..	..	Annas	8
" between Rs. 100 and 200 ..	..	Rupee	1
" between Rs. 200 and Rs. 300	..	Rupee	1-8
In all suits above Rs. 300 ..	..	Rupee	1-8

PLACE FOR THE CONFINEMENT OF PERSONS ORDERED BY THE SMALL CAUSE COURT TO BE IMPRISONED

Notn. No. 4003-11-P., J.D., 1st July 1882, para. 1, B.G. 1882, Pt. I, p. 489.

Under the provisions of Section 95 of the Presidency Small Cause Courts Act, 1882, the Right Honourable the Governor in Council is pleased to appoint Her Majesty's Common Jail, Civil Side, Bombay, to be the place in which persons ordered by the Small Cause Court, Bombay to be imprisoned, shall be imprisoned.

RULES UNDER ACT XIX OF 1883

LAND IMPROVEMENT LOANS

RULES REGARDING THE MAKING OF LOANS

Notn. No. 2677, F.D., 13th Sept. 1916, B. G. 1916, Pt. I, p. 2101, as amended by Notns. No. 3703, F.D., 27th Nov. 1917, No. 3722, F.D., 5th June 1919, No. K-17, F.D., 17th Nov. 1920, No. 258, F.D., 13th Apr. 1921, No. 780-E., F.D., 6th Nov. 1921 and No. P-29-2, F.D., 26th June 1922.

In exercise of the powers conferred by section 10 of the Land Improvement Loans Act, 1883 (XIX of 1883), and in supersession of Government Notification in the Revenue Department No. 1691-A, dated the 3rd March 1886, as subsequently amended, the Governor in Council is pleased to make the following rules regarding the making of loans under the said Act, namely :—

1. (1) These rules may be called the Land Improvement Loans Rules, 1916.

(2) In these rules " the Act " means the Land Improvement Loans Act, 1883.

2. The powers conferred by these rules may be exercised by the following officers in the areas specified below :—

(a) in the districts where the Gujarat Talukdars' Act, 1888 (Bom. VI of 1883), is in force, the Talukdari Settlement Officer, with reference to all immovable property under his management shall exercise the powers of a Collector ;